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## A WORD OF ADVICE TO YOUNG LAWYERS.

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At this time of the college year a very large number of earnest and intelligent young men are preparing to enter upon the practice of the legal profession.

I venture to lay before those of them who may read this article some of my views regarding what I consider of the utmost importance to one who desires to properly and successfully pursue the practice of the profession of the law.

A lawyer on one occasion suggested to the bishop of one of the great churches of the United States that a particular minister of the gospel be sent to a certain charge in a western State. The reverend gentleman very curtly said that the person proposed for the place was not fit for so important a station, for the reason that he lacked in experience. Whereupon the lawyer, who was a district judge, inquired of the bishop if he cared to know what he, the judge, thought the qualifications of a minister of the gospel should be. The bishop did not seem particularly anxious to know what the other man's views were on that matter, but permitted him to state them.

"Bishop," said the judge, "in my opinion it is of the first importance that a minister of the gospel should be a *gentleman*. Secondly, he should be a Christian. Thirdly, he should be a man of brains and education; and lastly, he should be a person of experience in his profession."

My experience with lawyers has caused me to believe firmly that the most necessary thing for a lawyer to know, is how to behave himself,—in the community, in his office, and before the court. He should be a man of courteous manners; dignity, not pomposity; civility, not frivolity; earnestness, not offensive self-assertion.

All men are not born alike. All do not have by nature the qualities which attract their fellow beings. Some have qualities which repel, notwithstanding the fact that they desire to treat men as they themselves would be treated.

Apart from the duty that the lawyer owes himself, he owes a duty to his clients to make himself as useful as he can, and, therefore, he cannot serve his client as he should if he lack in courtesy and good manners. More than one man has incurred the natural, human antagonism of a judge on the bench by bad manners in the court room. The business of the lawyer before the court is to present his case in the best possible manner, to the end that the court may fully understand the position taken by counsel, without in any wise having its attention distracted by the bad manners of counsel. To engage in conversation with other persons in the court room; to rustle papers; to snarl, snap at, or quarrel with opposing counsel; to scream or yell in making an argument; or to do any of the other improper things which are frequently done, and some of which are too coarse for me to mention in this article, is to draw away the attention of the court from the matters before it, and thereby cause it to fail to see or understand the very points and matters which counsel desires to have it consider and decide in favor of his client.

It is impossible to lay too much stress upon the fact that the advocate and the counsel are persons who are trying to convey the truth to the jury or the court, with the purpose of having the right prevail; in other words, the lawyer is the means by which the truth is to be conveyed. Bad manners are obstacles, and frequently prevent the court from getting the ideas which are sought to be conveyed.

It is of the greatest importance to a lawyer that he should understand his fellow beings, and, knowing how to treat them, treat them well and decently, in order that he may not become *persona non grata* to the court or the judge thereof, or to any one else with whom he is trying to prevail.

Fearing that I might disgust the readers hereon, I shall not enumerate a number of things which are done in a court room which ought to be, to say the least, avoided. There are some acts which some lawyers do in the presence of a court, so outrageous and so distracting, and so destructive of the very purpose for which courts are instituted, that the presiding judge may not, and does not, call the attention of the offender to his offensive conduct in open court for the reason that to rebuke him would be to disgrace him him forever in the community.

Quite often the judges on the bench are themselves to blame in matters of courtesy, and thus also the course of justice is inter-

ferred with, for the reason that the lawyers on the floor, many of them men of refinement and cultivation, are not only offended, but so disconcerted that they lose the thread of their own argument and are unable to present the case before the court as they should, in the interests of their clients and of justice.

The litigant has a right to a fair, polite, deliberate and impartial hearing; he has a right to the best efforts and most effective service of his counsel, and these he cannot have if the counsel is thwarted by the bad manners of the judge, or is handicapped in the performance of his own duties by his own bad manners, which make him disagreeable to those whose good opinion or whose best judgment he desires to obtain.

If, when counsel is presenting his views to the court upon a close question of law, he does or says something disagreeable, impolite, or uncivil, offending the court or disturbing the good order thereof, in all probability he may at the very time distract the attention of the judge from the main point in the case—the point upon which he relies; and the court, not having its attention called to it, may overlook the controlling principle in the case.

Some attorneys seem to be of the opinion that oratory is necessary to success. Frequently oratory is annoying when used to the court, and therefore good sense and good manners require that counsel do not indulge in it, however pleasing he may think it will be to the auditors not sitting upon the bench. While in some few cases an orator may influence a jury by eloquence, as the word is usually understood, it is not appropriate or expedient to resort to it before a judge who is trying to learn and not to be entertained. The lawyer, who without any apparent intention of attracting attention to his style of speech, mode of expression, posture or gesture, presents his case to the court clearly, in grammatical and proper language, says what he has to say in as few words as possible, and sits down, is more likely to convince the court of the correctness of his contention than a man who devotes himself to mannerisms, tries to wax eloquent and prove to the people in the court room, and not to the court, that he is a great orator, a fine speaker, an eloquent man, and one who, in the opinion of the people, ought to prevail.

Therefore, I have thought it proper, through the medium of this magazine, which is read by so many of the legal profession, to urge earnestly upon those now being graduated from our law schools the great importance of cultivating manners as well as brains, in order to succeed in the noble profession of law, which among the gentlemen of all professions is recognized as that agency which has more influence in maintaining law, order and justice, than any other in the civilized world.

*George R. Milburn.*